

**Town of La Pointe Zoning  
Town Plan Commission Regular Monthly Meeting Minutes  
Wednesday, April 21, 2010**

**Town Plan Commission (TPC) Members Present:** Ted Pallas; Chair, Charles Brummer; Vice-Chair, Larry Whalen, Greg Thury, Ron Madich, Suellen Soucek, Carey Baxter (7).

**Town Plan Commission Members Absent:**

**Public Present:** Paul Brummer (1).

**Town Staff Members Present:** Jennifer Croonborg; ZA, Margaretta Kusch; ZCA (arrives at 4:07) (2)

**I. Call to Order/Roll Call**

Chair Pallas called the meeting to order at 4:00 PM at the Town Hall. Roll call reflected members present or absent as recorded above.

**II. Public Comment**

None.

**III. Approval of Previous Meeting Minutes**

**1. Town Plan Commission Special Monthly Meeting, April 14, 2010**

- In VI Old Business, Item 1.b, page 2, add “*as part of the Technical Memorandum #3 revision*” to the end of the final paragraph.
- In VI Old Business, Item 2.a, page 3, add “*(if applicable)*” to the end of #3.
- In VII New Business, Item a, second bullet point, page 4, replace “*an event is*” with “*of an event.*”

G. Thury moves to approve as amended the Town Plan Commission minutes of April 14, 2010. S. Soucek seconds. All in favor, 6 aye, 1 abstain (C. Baxter). Motion Carries.

Chair Pallas makes a motion to move New Business up at this time. C. Brummer seconds. All in favor, 7 aye. Motion Carries.

**IV. Zoning Administrator’s Report**

**V. Consideration and/or Action of Permit Applications**

None.

**VI. Old Business**

**1. Zoning Ordinance Revision Project.**

- a. **Review and possibly revise working draft of tentative Ordinance Revision, Sections 1.0 through 16.0**  
Not discussed.
- b. **Section 6.0 Regulation of special uses: discuss possible addition of regulations regarding employee housing: James Price input.**  
Not discussed.

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## VII. New Business

### 1. Review and Recommend to Town Board new Public Assemblage/Special Events Ordinance

A draft ordinance has been created for discussion. The language of this draft is primarily taken from the Ashland and Douglas Counties Ordinances. The draft reads:

#### **Town of La Pointe Ordinance**

#### **Assemblages and Special Events**

*WHEREAS, the Town of La Pointe Board of Supervisors having experienced the occurrences of assemblies, the Town drawing large numbers of people, and creating traffic and parking congestion, and otherwise causing a spillage and encroachment onto and into the area surrounding the event; and*

*WHEREAS, the Town Board of Supervisors having found and determined that further regulation of such public assemblage is necessary in order that the health, safety and welfare of all persons in the Town, residents and visitors alike, may be protected; and*

*WHEREAS, the Town of La Pointe Board of Supervisors having considered the nature and purpose of public assemblage and having found and determined that public assemblage regulated herein, does not include assemblages organized to consult for the common good; petition the government; exercise worship or religion; or demonstrate as a public display of sentiment for or against a person or cause for the purpose of speech making or address; such activities being protected by the First and Fourteenth Amendments to the United States Constitution, and the Wisconsin Constitution, Article 1, Section 3, 14, and 18, such protected rights and activities not being governed by such proposed regulations.*

NOW THEREFORE, THE TOWN BOARD OF SUPERVISORS OF THE TOWN OF LA POINTE DOES ORDAIN AS FOLLOWS:

*That Ordinance # ? of the Town of La Pointe Code of Ordinances is created to read:*

#### **SECTION I. INTENT**

- A. It is the purpose of the La Pointe Town Board of Supervisors to regulate the assemblage of large numbers of people in excess of those normally needing the health, sanitary, fire, law enforcement, transportation and utility services regularly provided in the Town of La Pointe, in order that the health, safety, and welfare of all persons in the Town, residents and visitors alike, may be protected.*
- B. It is the intent of the Town of La Pointe Board of Supervisors that all sections and provisions of this Ordinance have independent existence and, should any section or provision be declared invalid or unconstitutional by a court of competent jurisdiction, it is the intent of the Town Board of Supervisors that any section so declared shall be separable from and shall not affect the validity of the remainder of the Ordinance.*

#### **SECTION II. PURPOSE**

- A. The purpose of this section is to provide reasonable regulations for assemblage in order to protect the public health, safety and welfare from the potential adverse affects which may arise from such assemblies, upon premises not regularly used for or developed to regularly accommodate such events or gatherings. Such regulations are intended to protect against: traffic congestion; the overcrowding of lands; the potential for fires, explosion, riot, disorder or other dangers to persons or property; the diversion of public health, safety and emergency services necessary to protect the*

*public health, safety and welfare arising from such temporary assemblies; to promote the preservation of public peace and order; and the furtherance of sanitation and the safeguarding of the public health.*

### **SECTION III. LICENSE REQUIRED**

- A. No person shall permit, maintain, promote, conduct, advertise, act as entrepreneur, undertake, organize, manage, or sell or give tickets to an actual or reasonably anticipated assembly of two hundred fifty (250) or more people on public or private property, unless a license to hold the assembly has first been issued by the Town Board, application for which must be made at least thirty (30) days in advance of a regularly scheduled meeting of the Town Board (2<sup>nd</sup> and 4<sup>th</sup> Tuesdays of each month). A license to hold an assembly issued to one person shall permit any person to engage in any lawful activity in connections with the holding of the licensed assembly.*
- B. As used in this legislation:*
  - 1. "Assembly" means a company of persons gathered together at any location at any single time for any purpose; is not ordinarily conducted on a daily or regular normal average use basis as a lawful use of the premises upon which event should occur; cannot be held completely within the confines of a building(s) on such premises; and for which event the number of persons attending will at any time exceed the normal patronage and traffic otherwise attending such premises. Such assemblies include but are not limited to, festivals, concerts, carnivals, athletic or contest tournaments, picnics and fairs.*
  - 2. "Person" means any individual, natural human being, partnership, corporation, firm, company, association, society or group.*
- C. The license shall be valid for a maximum of seven (7) days including set-up and tear-down. A separate license shall be required for each seven (7) day period. Each separate license shall require payment of a separate license fee.*
- D. Premises not regularly used for or developed to regularly accommodate such events or gatherings are limited to two (2) Special Event Licenses per calendar year. No license shall be issued to a property whose use is governed by a Conditional Use Permit (CUP) and whose CUP does not allow for such use.*
- E. The fee for such license shall be determined by the Town Board of Supervisors and included in the Town Fee Schedule.*
- F. A license shall permit the assembly of only the maximum number of people stated in the license. The licensee shall not sell tickets to nor permit to assemble at the licensed location more than the maximum permissible number of people.*
- G. The license shall not permit the sound of the assembly to carry unreasonably beyond the boundaries of the location of the assembly.*
- H. Any permit issued under this Ordinance shall specify the days upon which the event shall occur. Such permit shall also specify the hours during which pre-event setup and post-event takedown operations may occur and no such operations may be conducted other than as so specified.*

### **SECTION IV. CONDITIONS FOR ISSUING LICENSE**

*Before an applicant may be issued a license the applicant shall first:*

- A. Determine the maximum number of people which will be assembled or admitted to the location of the assembly, provided that the maximum number shall not exceed the maximum number which can reasonably assemble at the location of the assembly in consideration of the nature of the assembly, and provided that where the assembly is to continue overnight the maximum shall not be more than is allowed to sleep within the boundaries of the location of the assembly by applicable zoning or health ordinances; and*
- B. Where required, provide proof that the applicant will furnish at his/her own expense before the assembly commences:*
  - 1. Potable water meeting all federal and state requirements for purity, sufficient to provide drinking water for the maximum number of people to be assembled at the rate of at least one (1) gallon per person per day;*
  - 2. Separate enclosed toilets for males and females, meeting all state and local specifications, conveniently located throughout the grounds and sufficient to provide facilities for the maximum number of people to be assembled at the rate of at least one (1) male and one (1) female toilet for every two hundred fifty (250) people together with an efficient, sanitary means of disposing of deposited waste matter, which is in compliance with all applicable state and local laws and regulations; a lavatory with running water under pressure and a continuous supply of soap and paper towels shall be provided with each toilet.*
  - 3. A sanitary method of disposing of solid waste and recyclable materials, in compliance with all state and local laws and regulations, sufficient to dispose of the solid waste production of the maximum number of people to be assembled at the rate of at least two and one-half (2 1/2) pounds of solid waste per person per day, together with a plan for collecting and holding all such waste and recyclables at least once each day of the assembly and sufficient trash and recycling receptacles with tight-fitting lids and personnel to perform the above described task.*
  - 4. Paramedics and/or Emergency Medical Technicians (EMT) shall be provided for. The Ambulance Director together with the Town Board shall have the discretion to decide at what rate Emergency Medical Service is provided depending on the nature of the event. At no time shall the average emergency medical care be less than what is enjoyed by residents of Wisconsin, or, the rate of one (1) EMT/Paramedic for every 800 people and at least one (1) emergency ambulance available for use at all times. At no time should the assembly diminish emergency medical care regularly enjoyed by the community.*
  - 5. If the assembly is to continue during hours of darkness, illumination sufficient to light the entire area of the assembly at the rate of at least five (5) footcandles, which do not shine unreasonably beyond the boundaries of the assembly.*
  - 6. Parking on public roads shall abide by all existing Town and/or County signage requirements. Parking on public roads with no existing signage is allowed ONLY on one side of the road and not at all within 50 ft of an intersection or 200 ft of a blind curve. There shall be no parking in driveways or on private roads which blocks emergency vehicle access to the premises. The Town of La Pointe encourages use of shuttles to and from public parking facilities.*
  - 7. If the assembly is to continue overnight, camping facilities in compliance with all applicable state and local requirements as set forth in the WI Administrative Code and Zoning Ordinance for the Town of*

*La Pointe and Ashland County Ordinances where applicable. Camping facilities will be sufficient to provide camping accommodations for the maximum number of people to be assembled;*

- 8. Security guards may be required, either regularly employed and duly sworn off-duty Wisconsin Peace Officers or private guards licensed in Wisconsin, sufficient to provide adequate security for the maximum number of people to be assembled at the rate of at least (1) security guard for every one hundred (100) people. The La Pointe Police Chief together with the Town Board may require a greater an increased rate of officers/guards depending on the nature of the event;*
- 9. Fire protection, including alarms, extinguishing devices, and fire lanes and escapes, sufficient to meet all applicable state and local standards for the location of the assembly as set forth in the WT Administrative Code and Ordinances of this Town, together with sufficient emergency personnel to efficiently operate the required equipment;*
- 10. All reasonably necessary precautions to insure the sound of the assembly will not carry unreasonably beyond the boundaries of the location of the assembly;*
- 11. A cash bond to be filed with the Town of La Pointe Clerk, at the rate of five dollars (\$5.00) per person for the maximum number of people permitted to assemble, which bond shall indemnify and hold harmless the Town of La Pointe or any of its agents, officer, servants, and employees from any liability or causes of action which might arise by reason of granting of this license, and from any costs incurred in cleaning up any waste material produced or left by the assembly.*

#### **SECTION V. APPLICATION**

- A. Application to hold an actual or an anticipated assembly of two hundred fifty (250) or more persons shall be made in writing to the La Pointe Clerk at least thirty (30) days in advance of the meetings set forth in III(A).*
- B. The application shall contain a statement made upon oath or affirmation that the statements contained therein are true and correct to the best knowledge of the applicant and shall be signed and sworn to or affirmed by the person making the application. In the case of a corporation, by all officers; in the case of a partnership, by all partners; or by all officers of an unincorporated association, society or group, if no officers, by all members of such association, society or group.*
- C. The application shall contain and disclose:*
  - 1. The name, address and home and business telephone numbers of the authorized representative of the applicant who shall be responsible for the conduct of the assembly and available to the Town of La Pointe at all times for all communications and necessary contacts;*
  - 2. The name, age, residence, telephone number and mailing address of all persons required to sign the application by this section and, in the case of a corporation, a certified copy of the articles of incorporation together with the name, age, residence and mailing address of each person holding 10% or more of the stock of said corporation;*
  - 3. The address and legal description of all property upon which the assembly is to be held together with the name, residence and mailing address of the record owner(s) of all such property;*

4. *Proof of ownership of all property upon which the assembly is to be held or a statement made upon oath or affirmation by the record owner(s) of all such property that the applicant has permission to use such property for an assembly of two hundred fifty (250) or more persons;*
5. *The nature and purpose of the assembly;*
6. *The total number of days and/or hours during which the assembly is to last, including setup and takedown operations;*
7. *The maximum number of persons which the applicant shall permit to assemble at any time, not to exceed the maximum number which can reasonably assemble at the location of the assembly, in consideration of the nature of the assembly, or the maximum number of persons allowed to sleep within the boundaries of the Town of La Pointe if the assembly is to continue overnight;*
8. *The maximum number of tickets to be sold, if any;*
9. *The plans of the applicant to limit the maximum number of people permitted to assemble;*
10. *The plans for supplying potable water including the source, amount available and location of outlets;*
11. *The plans for providing toilet and lavatory facilities including the source number and location, type, and the means of disposing of waste deposited;*
12. *The plan for holding, collection, and disposing of solid waste material;*
13. *The plans to provide medical facilities including the location and construction of the medical structure, the names and addresses and hours of availability of emergency medical technicians, paramedics, physicians, and/or nurses, and provisions for emergency ambulance service;*
14. *The plans, if any, to illuminate the location of the assembly including the source and amount of power and the location of lamps;*
15. *The plans for parking vehicles including size and location of lots, points of public road access, which side of the roads parking will be allowed upon and placement of signage to be posted for such parking;*
16. *The plans for camping facilities, if any, including facilities available and their location;*
17. *The plans for security including the number of guards, their deployment, and their names, addresses, credentials and hours of availability;*
18. *The plans for fire protection including the number, type and location of all protective devices including alarms and extinguishers, and the number of emergency fire personnel available to operate the equipment;*
19. *The plans for sound control and sound amplification, if any, including the number, location, and power of amplifiers and speakers;*
20. *The plans for food concessions and concessioners and/or catering and caterers who will be allowed to operate on the grounds including the types and number of vendors and/or caterers and their license or permit number;*

21. *The plans and specific description for each of any other type of vendor or amusement or entertainment provider who will be allowed to operate on the grounds, including names and addresses of all such vendors and their license or permit number, if any;*
- D. *The application shall include the bond required herein, and a nonrefundable license administration and review fee to the Town of La Pointe in the amount of \$100.00. In addition the licensee shall be responsible for and pay to the Town of La Pointe a fee for all law enforcement and fire services provided by the Town of La Pointe for the assembly. Such law enforcement and roads/parks crew services assembly fee shall not exceed the actual cost of providing the services. Such fee shall be paid to the Town of La Pointe by the licensee within ten (10) days of the date of the itemized invoice for same prepared by the Town of La Pointe subsequent to the assembly. Prior to any Board of Supervisors approval of an assembly license, the Police Chief and Fire Chief shall review the application and report to the Town Board of Supervisors their respective findings as to the reasonable estimate of the costs of providing law enforcement and fire services reasonably required by the assembly, if any. The licensee shall provide the Police Chief and Fire Chief with all the information necessary to determine the level of service required, if any. After reviewing such reports, upon which the applicant may be heard, the Board of Supervisors shall specify as to the condition of the license, that the applicant deposit with the Town security on the form of a bond, letter of credit or cash deposit, in form approved by the Town of La Pointe Attorney in an amount determined to be sufficient to guarantee payment for the anticipated cost of providing such assembly law enforcement and roads/parks crew services. Such security deposit shall be made by the licensee no later than ten (10) days prior to the assembly including setup. Such security deposit shall entitle the Town of La Pointe to draw upon same forthwith upon any default in payment by the licensee after services invoice, with any remaining balance of any cash deposit to be returned to the licensee. Any determined deficiency for such service fees beyond the security deposit shall be a debt of the licensee to the Town of La Pointe, collectable by the Town in an action of law, which shall also entitle the Town to all costs of collection, including attorney fees and further, shall also constitute a lien against the assembly premises to be placed upon the tax roll for such premises.*

#### **SECTION VI. APPROVAL OR DENIAL OF APPLICATION**

- A. *Upon receipt of a completed application, the Town Clerk shall submit the application for review to the Board of Supervisors, which shall approve, conditionally approve or deny the license within forty-five (45) working days of its filing. The Board of Supervisors shall have the authority to modify the time and place of specified activities of an assembly to facilitate crown control in the interests of relieving congestion and promoting public safety. The Board of Supervisors shall issue the license if it complies with all terms and provisions of this section.*
- B. *Grounds for denial of the application shall include:*
1. *Any false or misleading statements set forth upon the application;*
  2. *The assembly is of such size and nature so as to require the diversion of so great a number of municipal law enforcement, fire or emergency medical services so as to deny reasonable law enforcement, fire and emergency medical services to the Town of La Pointe as a whole;*
  3. *The time, size and nature of the assembly would unduly disrupt the safe and orderly use of any street or public place or material portion thereof, which is ordinarily subject to congestion or traffic at the proposed time or substantially interrupts the safe and orderly movement of traffic;*
  4. *The vehicles, temporary structures, sanitary facilities, tents, equipment or other materials used in the assembly do not comply with or meet applicable health, fire or safety requirements;*

5. *The assembly will interfere or conflict with another assembly for which an application had been previously filed or with a construction or public works project;*
6. *The conduct of the assembly will be contrary to law, including noise regulations;*
7. *Either the applicant or a proposed assembly were previously licensed for a prior assembly under this section and violated any term of this section while operating under such license.*

## **SECTION VII. APPEAL OF APPLICATION DENIAL**

*Any applicant who has been denied an assembly license may, upon written request within five (5) days of denial, have the denial reviewed by the Circuit Court Judge, who shall affirm or reverse the initial action on the application. Such determination by the Circuit Court Judge shall constitute final action. If the Circuit Court Judge is unable to hear the matter prior to the proposed date of the assembly, the applicant may seek judicial review of the denial.*

## **SECTION VIII. EXEMPTIONS**

*This legislation does not apply to:*

- A. *Any regularly established permanent place of worship, stadium, athletic field, arena, auditorium, coliseum, or other similarly permanently established place for assemblies which do not exceed by more than two hundred fifty (250) people the maximum seating capacity of the structure where the assembly is held.*
- B. *This legislation shall not apply to government sponsored fairs held on regularly established fairgrounds, Town Parks, or to any size assembly required to be licensed or permitted by other ordinances, resolutions, and regulations of the Town of La Pointe.*
- C. *Assemblies sponsored by the Town of La Pointe or occurring upon public property and otherwise authorized or regulated by this Municipal Code, such assemblies being otherwise subject to governmental control to effectuate the purpose of this section.*

## **SECTION IX. REVOCATION**

*The license may be revoked by the La Pointe Town Boards of Supervisors at any time if any of the conditions necessary for the issuing of or contained in the license are not complied with, or if any conditions previously met ceases to be complied with.*

## **SECTION X. INDEMNITY**

*The assembly license application shall contain a statement that: "The applicant agrees to indemnify and save harmless the Town of La Pointe and against all liabilities, claims, demands, judgments, losses and all suits at law or in equity, costs and expenses, including reasonable attorney fees, for injury, death of any person or loss or damage to the property of any person, firm, organization or corporation, arising in any way as a consequence of the granting of a license for an assembly." No license shall be issued unless the applicant has agreed to the terms of this statement on the written application.*

## **SECTION XI. INSURANCE**

*Each applicant for a public assemblage license shall furnish to the Town of La Pointe, no later than ten (10) days prior to the assembly, a certificate of insurance written by a company licensed in the State of Wisconsin, approved by the*



*Town of La Pointe Attorney, and covering any and all liability or obligations which may result from the operations by the applicant's employees, agents, contractors or subcontractors, and including workers' compensation coverage in accordance with ch. 101, Wis. Stats. The certificate shall provide that the company will furnish the Town of La Pointe with a ten-day prior written notice of cancellation, nonrenewal or material change. The insurance shall be written in comprehensive form and shall protect the applicant and the Town of La Pointe against any claims arising from injuries to members of the public or damage to property of others arising out of any act or omission of the applicant, its employees, agents, contractors and subcontractors. The policy of insurance shall provide minimum combined single limits for bodily injury and property damage of at least \$1,000,000.00 per person/aggregate.*

## **SECTION XII. ENFORCEMENT**

- A. The provisions of this Ordinance may be enforced by way of injunctive relief and all other remedies available at law and in equity in any court of competent jurisdiction;*
- B. The holding of an assembly in violation of any provision or condition contained in this ordinance shall be deemed a public nuisance and may be abated as such.*
- C. Any person who violates any provision of this section, or who violates any condition upon which s/he is granted a license shall be subject to a forfeiture of not less than \$1,000.00. Each day of violation shall be considered a separate offense.*

## **SECTION XIII. SEVERABILITY**

*The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.*

## **SECTION XIV. EFFECTIVE DATE**

*This ordinance shall take effect and be in force from and after its passage and publication.*

*Dated this \_\_\_\_\_ of \_\_\_\_\_, 2010.*

The Town Plan Commission makes the following changes to the above draft Ordinance:

- Change the number of people at an assemblage requiring a license from 250 to 150 throughout the document.
- In Section IV Conditions for Issuing License, item B, add, "Where required" to beginning of sentence.
- In Section IV Conditions for Issuing License, item B.1, delete "in addition for water for bathing at the rate of at least ten (10) gallons per person per day."
- In Section IV Conditions for Issuing License, item B.4, change "Paramedics and/or Emergency Medical Technicians (EMT) shall be provided for" to "Paramedics and/or Emergency Medical Technicians (EMT) may be required." Move this sentence to follow the current second sentence "The Ambulance Director together with the Town Board shall have the discretion to decide at what rate Emergency Medical Service is provided depending on the nature of the event."
- In Section IV Conditions for Issuing License, item B.4, delete "At no time should the assembly diminish emergency medical care regularly enjoyed by the community."

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- In Section IV Conditions for Issuing License, item B.8, delete “a greater.”
- In Section IV Conditions for Issuing License, item B.11, change “*A cash bond to be filed with the Town of La Pointe Clerk, at the rate of five dollars (\$5.00) per person*” to “*At the discretion of the Town Board, a cash bond may be filed with the Town of La Pointe Clerk, at the maximum rate of five dollars (\$5.00) per person.*”
- In Section V Application, item D., change “*a fee for all law enforcement and fire services provided by the Town of La Pointe*” to “*a fee for all law enforcement and roads and/or parks department services (including trash removal) provided by the Town of La Pointe.*” Delete “Fire Chief” throughout passage and replace with “Town Foreman.”
- In Section VI Approval or Denial of Application, item A., change “crown” to “crowd.”
- In Section VII Appeal of Application Denial, change “*upo*” to “*upon.*”
- In Section VIII Exemptions, item C., delete “*or occurring upon public property and otherwise authorized or regulated by this Municipal Code*” and replace the word “section” with “Ordinance.”
- In Section X Indemnity, delete the word “and” after “*Town of La Pointe.*”
- In Section XI Insurance, replace “shall” with “*may be required to.*”
- In Section XII Enforcement, item B, change “*public nuisance*” to “*nuisance.*”
- In Section XII Enforcement, item C, change the forfeiture amount from “\$1,00000” to “\$500.00.”

G. Thury moves to recommend to the Town Board as amended the draft language for the Public Assemblage/Special Events Ordinance. C. Baxter seconds. All in favor, 7 aye. Motion Carries.

## **2. Review and approve draft Special Exception Permit application**

## **3. Review and approve draft Conditional Use Permit application**

The Zoning Administrator has prepared drafts for both of these applications (attached to these minutes) and sent them to the Town’s attorney, Mike Fauerbach, for criticism and suggestions. Mr. Fauerbach suggested that the two applications could be merged, as the process is the same for both permits. The Town Plan Commission decides to do so, using the Conditional Use Permit application and adding relevant language from the Conditional Use Permit application.

Changes to be made to the application:

- In the terms of application, change “*I (we) acknowledge I (we) am responsible for the detail and accuracy*” to read, “*I (we) acknowledge I (we) am (are) responsible for the detail and accuracy.*”
- Add “*or Special Exception*” to any reference to Conditional Uses throughout application as well as in the “For Office Use Only” section, as the application is now for both permits.

- A caveat will be added (exact language not composed yet) saying that decisions might be changed from the time of the preliminary application and the Public Hearing that will occur.
- The following list of requirements, taken from Section 7.2 of the Ordinance (Conditional Use Permits), are to be added to the application instructions (things to be attached to permit):
  1. A plan of the area showing contours, soil types, wetlands, ordinary high water mark, groundwater conditions, bedrock, slope and vegetative cover.
  2. A survey prepared by a registered land surveyor showing existing and proposed development, location of buildings, structures, parking areas, traffic access, driveways, walkways, piers, open spaces, and landscaping
  3. Sewage disposal facilities, water supply systems and arrangements of operations thereof.
  4. Specifications for areas of proposed filling, grading and lagooning
  5. Building plans, including floor plans and exterior designs or elevations.
  6. Development schedule indicating the appropriate date when construction can be expected to begin and be completed, including initiation and completion dates of separate stages of a phased development.

J. Croonborg, ZA will rewrite the application with these amendments.

G. Thury moves to approve as amended the Special Exception/Conditional Use Permit application draft originally dated April 15, 2010. S. Soucek seconds. All in favor, 7 aye. Motion Carries.

**4. Make recommendation to Town Board for the three Town Plan Commission positions opening up**

The Town Plan Commission elects to recommend to the Town Board that Ted Pallas, Ron Madich, and Larry Whalen be re-appointed. There was one other applicant for the position, and the Town Plan Commission feels that although this individual is qualified and competent and would be a valued Commissioner, it is best for the Commission to keep the same makeup for continuity's sake in order to see the Ordinance Revision project to completion. The Zoning Administrator will write a letter to the other applicant thanking them for their interest and application and explaining the reason the Town Plan Commission did not recommend them to the Town Board.

Chair Pallas makes a motion to go back up to Old Business. G. Thury seconds. All in favor, 7 aye. Motion Carries.

**VIII. Future Agenda Items**

**IX. Schedule of Next Meeting**

The next Town Plan Commission Workshop will be held Friday, April 30, 2010, at 1 pm.

**X. Adjournment**

G. Thury moves to adjourn. C. Baxter seconds. All in favor, 7 aye. Motion Carries. Meeting ends at 5:50 pm.

**Draft Town Plan Commission Minutes respectfully submitted by Margaretta Kusch, ZCA, on Friday, April 23, 2010.**

**Town Plan Commission minutes are approved as submitted by Margaretta Kusch; ZCA on Friday, April 30, 2010.**